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General Assembly

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Sixty-second session
Agenda item 113 (d)
Elections to fill vacancies in subsidiary organs and other elections: election of fifteen members of the Human Rights Council

Note verbale dated 7 February 2008 from the Permanent Mission of Japan to the United Nations addressed to the President of the General Assembly

The Permanent Mission of Japan to the United Nations presents its compliments to the President of the sixty-second session of the United Nations General Assembly and has the honour to inform him that the Government of Japan has decided to present its candidature to the membership of the Human Rights Council at the elections to be held during the sixty-second session of the General Assembly in May 2008 in New York. The Permanent Mission of Japan to the United Nations would be grateful if the candidacy of Japan could be included, with the attached annex, in the final document to be produced for the forthcoming elections and would also appreciate it if it could be circulated among the Member States.

Japan looks forward to continuing to play an active role in concert with other States in the Human Rights Council, which is responsible for promoting universal respect for the protection of human rights and fundamental freedoms. In this regard, the Government of Japan has the honour to submit herewith a written pledge of its commitment to the promotion and protection of human rights in accordance with General Assembly resolution 60/251 of 15 March 2006 (see annex).

08-26686 (E) 110308

Annex to the note verbale dated 7 February 2008 from the Permanent Mission of Japan to the United Nations addressed to the President of the General Assembly

Japan's voluntary pledges and commitments in accordance with resolution 60/251

1 February 2008

1. Japan's basic policy on human rights

Japan adheres to the highest standards of human rights which are enshrined and guaranteed in its Constitution of 1947, which stipulates that "fundamental human rights guaranteed to the people by this Constitution shall be conferred upon the people of this and future generations as eternal and inviolate rights." The Japanese Constitution further describes the desire of the Japanese people "to occupy an honoured place in an international society striving for the preservation of peace, and the banishment of tyranny and slavery, oppression and intolerance for all time from the earth". Since the establishment of the Constitution, Japan has maintained and consolidated its democratic political system and has developed policies for the promotion and protection of human rights, fundamental freedoms and democracy in accordance with the Constitution. At the same time, Japan has pursued peace and prosperity in the international community.

Japan firmly believes that (a) human rights are universal; (b) all rights, including civil and political rights and economic, social and cultural rights are indivisible, interdependent and interrelated; (c) it is necessary to protect and promote those human rights equally.

Japan also holds the firm belief that human rights are the legitimate concern of the international community. In addressing specific situations, Japan fully recognizes the importance of an appropriate understanding of the history, culture, religion and traditions of each country in question. Based on this conviction, Japan has sought approaches tailored to each circumstance through dialogue, cooperation and assistance.

2. International commitments

(1) Japan has ratified the following international instruments for the protection and promotion of human rights and has made the utmost efforts to implement its obligations faithfully:

- International Covenant on Economic, Social and Cultural Rights (1979)
- International Covenant on Civil and Political Rights (1979)
- International Convention on the Elimination of All Forms of Racial Discrimination (1995)
- Convention on the Elimination of All Forms of Discrimination against Women (1985)
- Convention on the Rights of the Child (1994) and its two Optional Protocols (2004 and 2005)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1999)
- Geneva Conventions of 1949(1953) and their First and Second Additional Protocols of 1977 (2004)
- Convention relating to the Status of Refugees (1981) and its Optional Protocol (1982)

In 2007, Japan signed the following two international human rights conventions and is now working towards to ratify them;

- Convention on the Rights of Persons with Disabilities (2007)
- International Convention for the Protection of All Persons from Enforced Disappearance (2007)

(2) Japan served as a member of the Commission on Human Rights (CHR) since 1982 and was elected as one of the first member countries of the Human Rights Council (HRC) in

2006. Japan has contributed to the work of CHR and HRC in a constructive and positive manner by emphasizing the importance of dialogue, tolerance and mutual respect.
(3) Japan actively participated in the discussions on Institutional Building (IB) of the HRC since its establishment, in accordance with the policy that HRC should become a result-oriented institution by enhancing its effectiveness, constructiveness and responsiveness.
(4) Japan has cooperated fully with the Office of the High Commissioner for Human Rights (OHCHR). In November 2004 and January 2007, Japan invited the High Commissioner for Human Rights to Japan to have discussions on various issues relating to human rights with concerned authorities and members of civil society.
(5) Japan fully supports the special procedures and invited various Mandates Holders to conduct dialogues.

3. **Domestic human rights policy**
(1) Japan has consistently made efforts and implemented concrete measures to promote and protect all human rights and fundamental freedoms in Japan. Recent examples include:

(a)To protect the rights of the child, the Government has reviewed and introduced new laws such as the revised Act on Punishment of Activities Relating to Child Prostitution and Child Pornography, and the Protection of Children (2004), the Law for Regulation of Acts Involving Children through the use of Internet Dating Services (2003), the revised Child Abuse Prevention Law (2007) and the revised Child Welfare Law (2007).

(b)In order to further promote gender equality, the Government has introduced the Basic Law for a Gender-equal Society (1999) and the Second Basic Plan for Gender Equality (2005) following the Beijing+10 review and has revised the Equal Employment Opportunity Law (2007).

(c)In order to combat human trafficking through the protection of victims and the strengthening of law enforcement, in 2004, the Government has set up an Inter-ministerial Liaison Committee (Task Force) and adopted a Comprehensive National Action Plan of measures to combat trafficking in persons. Japan has also promoted international cooperation as an indispensable endeavor in resolving this issue.

(d)Human Rights Organs of the Ministry of Justice in charge of the nation's human rights protection activities conduct investigations on human rights infringement cases and take appropriate relief measures such as an accusation or warning if human rights infringements are confirmed. They also conduct various human rights promotion activities to spread the philosophy of respect for human rights among the people and thereby improving public understanding. To strengthen the national human rights system, the Ministry of Justice has established human rights counseling offices with the cooperation of about 14,000 human rights volunteers throughout the country.

(e)The Act on Penal and Detention Facilities and the Treatment of Inmates and Detainees came into effect in June 2007. This act ① secures the transparency of administration of the facilities by establishment a Visiting Committee of a third party, ② clarifies inmates' and detainees' rights and obligations and the authority of the officers, ③ further improves correctional treatment for the rehabilitation of sentenced inmates, ④ guarantees the living standards for inmates and detainees, ⑤ guarantees contact with the outside world, and ⑥ provides complaints mechanisms.

(2) In Japan, the right of assembly and association is guaranteed by the Constitution and any nonprofit organization can operate without restriction. As an indicator, 33,389 Nonprofit

Organizations are registered under the Registration Law for Nonprofit Organization, for the purpose of obtaining corporate rights and tax concession measures.
(3) The Constitution also guarantees freedom of expression and thought and stipulates that no censorship shall be maintained, nor shall the secrecy of any means of communication be violated:

4. **International cooperation**

(1) Japan firmly believes that capacity building should constitute the main element in assisting efforts to improve the human rights situation. In its bilateral cooperation, Japan has assisted efforts to promote and protect human rights through projects to foster democratic governance, empower women and provide education, in close consultation with and based on request from the governments concerned. Japan has held regular bilateral dialogues and consultations on human rights with the governments of more than 10 countries for the purpose of fostering mutual understanding and implementing bilateral technical assistance to advance the protection and promotion of human rights.
(2) Japan has supported and cooperated with the Office of the High Commissioner for Human Rights (OHCHR) in building the capacities of national institutions and legal systems and also in developing human resources in the field of human rights. Japan also continues to contribute actively to the human rights related activities of other UN entities including UNIFEM and UNICEF and the United Nations Democracy Fund (UNDEF).
(3) Japan has made efforts to promote understanding and awareness of issues related to human rights through the organization of international conferences, symposia and seminars. The following are recent examples:

- The Second World Congress against Commercial Sexual Exploitation of Children in Yokohama (2001)
- Symposium on International Humanitarian Law (2005)
- International Symposium on Trafficking in Persons (2006)
- Tokyo Seminar on Customary International Humanitarian Law: New Development and Challenges (2007)
- Symposium on "New Developments in Japan's Foreign Policy for the Promotion of Human Rights and Democracy"(2007)
- Symposium on "Japan's Foreign Policy for the Promotion of Human Rights and Democracy: Challenges and Prospects"(2008)
- Seminar on Democracy Support by NGOs (2008)
- Asia Cup (international law moot court competition) (annually since 2003)

(4) Japan appointed in 2007 a Goodwill Ambassador for the Human Rights of People Affected by Leprosy, and is fully committed to make efforts to eradicate discrimination against Leprosy affected persons and their families worldwide. Japan is actively promoting an educational campaign to eliminate discrimination against Leprosy.
(5) Japan officially became a State Party of the Rome Statute of the International Criminal Court (ICC) in October 2007. Japan intends to proactively support the ICC activities further through providing financial and human resources. As part of this contribution, Ms. Fumiko Saiga, Japanese Ambassador in charge of Human Rights, was elected as an ICC judge in November the same year.

5. **Commitments and pledges**

(1) Japan would like to participate and work actively in the Council:

- by continuing to promote genuine dialogues and cooperation based on mutual understanding and respect;

- by addressing situations of violations of human rights, including gross and systematic violations;
- by actively participating in the Universal Periodic Review (UPR) as one of the first countries to have its national human rights situation reviewed by HRC and as a member of Troika rapporteurs;
- by actively engaging in discussion on the reform of the special mechanisms with a view to ensuring that they maintain the highest standards of impartiality, objectivity, independence and expertise in fulfillment of their mandates;
- by contributing to the establishment of working methods and practices that maximize the effectiveness of the Council and maintain the transparency of its work.

(2) Japan will continue bilateral dialogues on human rights and will continue to extend technical cooperation to assist in efforts to improve the situation of human rights worldwide.

(3) The Government of Japan will:

- make its utmost efforts to ratify as soon as possible the International Convention for the Protection of all Persons from Enforced Disappearances and the Convention on the Rights of Persons with Disabilities;
- continuously support OHCHR by providing an annual contribution to support its activities. Japan supports the UN policy of doubling the regular budget of OHCHR;
- support the promotion of a human rights based approach in development programmes of UN agencies.

(4) Japan will cooperate fully with the treaty bodies and actively participate in the discussion on the reform of the treaty bodies for a more effective monitoring system.

(5) Japan will work closely with civil society including non-governmental organizations in the promotion and implementation of human rights programmes.

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Agenda item 113 (d)
Elections to fill vacancies in subsidiary organs and other elections: election of fifteen members of the Human Rights Council

Letter dated 8 February 2008 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the General Assembly

I have the honour to inform you that the Government of Ukraine has decided to present its candidature to the Human Rights Council for the term 2008-2011 at the elections to be held during the sixty-second session of the General Assembly.

I therefore have the honour to forward an aide-memoire outlining Ukraine's voluntary commitments and pledges with respect to the promotion and protection of human rights, in accordance with General Assembly resolution 60/251 (see annex).

I would appreciate it if the present letter and aide-memoire could be circulated as a document of the General Assembly.

(*Signed*) Yuriy **Sergeyev**
Ambassador
Permanent Representative

08-26674 (E) 110308

Annex to the letter dated 8 February 2008 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the General Assembly

[Original: Arabic, English, French and Spanish]

Voluntary commitments and pledges on human rights in accordance with resolution 60/251

As a founding Member of the United Nations and responsible partner of international cooperation, Ukraine is strongly committed to the purposes and principles of the UN Charter and Universal Declaration on Human Rights, and strictly adheres to its international commitments under these and other international instruments in the field of human rights.

Ukraine was a member of the UN Commission of Human Rights in 1947-1971, 1983-1985, 1989-1991, 1996-1998, 2003-2005 and was then elected in 2006 to the Human Rights Council for a limited 2-year term.

Ukraine's vast experience within both the Commission and Council is a valuable asset for furthering efforts directed towards finalizing the Council's institution building on a basis of constructive dialogue and cooperation.

Ukraine has fulfilled all of its previously undertaken voluntary pledges and commitments, particularly by active participation in establishing the Universal Periodic Review, as well as by extension of a standing and open invitation to all special procedures of the Human Rights Council. Since June 2006 Ukraine has been visited by:

- Special Rapporteur on the Sale of Children, Child Pornography and Child Prostitution, Mr. H.M.Petit (23-27 October 2006);
- Special Rapporteur on Adverse Effects of the Illicit Movement and Dumping of Toxic and Dangerous Products and Wastes on the enjoyment of human rights, Mr. O.Ibeanu (22-30 January 2007);
- Special Rapporteur on Freedom of Opinion and Expression, Mr. A.Ligabo (14-19 May 2007).

In fulfilment of its previous pledges and commitments, Ukraine presented to the appropriate UN bodies four national reports on implementation of the following international instruments:

- The International Convention on the Elimination of All Forms of Racial Discrimination (11-14 August 2006);
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (7-10 May 2007);
- The International Covenant on Civil and Political Rights (23 October 2006);
- The Optional Protocol to the Convention on the Rights of the Child on the sale of Children, Child Prostitution and Child Pornography (4 June 2007).

Ukraine has ratified the Optional Protocol to the Convention against Torture and Cruel Inhuman or Degrading Treatment or Punishment (21 July 2006), and acceded to the Second Optional Protocol to the International Covenant on Civil and Political Rights aimed at the abolition of the death penalty (16 March 2007).

Ukraine has acceded to and ratified nearly all international treaties and agreements in the field of human rights, including six major UN Conventions on the promotion and protection of human rights and fundamental freedoms and most of their Optional Protocols.[a]

In the context of developing international human rights instruments, Ukraine has strongly supported the adoption of the Convention on the Protection of All Persons from Enforced Disappearance, and the Convention on the Promotion of the Rights and Dignity of Persons with Disabilities.

The primary focus of Ukraine's humanitarian policy is the universal promotion and protection of all human rights and fundamental freedoms in line with the UN Millennium Goals. Ukraine considers civil, political, economic, social and cultural rights as indivisible, interdependent, interrelated and as an indispensable foundation for democracy, development, and good governance.

As a member of the Human Rights Council, Ukraine submits itself fully to the Universal Periodic Review and undertakes following voluntary commitments and pledges.

Within the Council and the United Nations system Ukraine will:

- work to ensure elimination of double standards in the assessment of the human rights situation in various countries;
- strive to promote objectivity and non-selectivity in the functioning of the Council;
- engage in a constructive and transparent human rights dialogue with all states and NGO;
- continue to support the Office of the High Commissioner for Human Rights;
- further contribute to developing modalities of the Universal Periodic Review and to strengthening the institutional make-up of the Council;
- support the work of the Expert Advice Committee of the Council;
- cooperate constructively with the UN Member States in reforming the UN treaty-body system;
- seek to increase support to initiatives and resolutions aimed at protecting children's rights;
- further support activities that combat violence against women and the international trafficking in human beings;

[a] See attachment.

- continue to support the drafting of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, in order to provide a communication procedure for the rights emanating from this treaty;

- continue to fully cooperate with the UN special procedures and Special Rapporteurs and Independent Experts of the HRC, and to implement the recommendations addressed to Ukraine.

At the bilateral level, Ukraine will:

- actively cooperate with all states – regardless of their membership in the Council – in order to reflect their views with regard to the ongoing deliberations within the Council;

- contribute to facilitating the interaction between the Council and individual countries;

- ensure that the Council provides advisory services, technical assistance, and capacity-building in consultation with, and with the consent of states concerned.

Domestically, Ukraine will:

- continue to strengthen a close engagement and partnership between the Government and civil society in promoting and protecting human rights;

- encourage efforts by civil society and the media in promoting and protecting human rights;

- ensure effective protection and promotion of the rights of national minorities and indigenous peoples;

- further strengthen activities that protect children's rights and advance women and gender equality;

- timely submit national periodic reports on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women; the International Covenant on Economic, Social and Cultural Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Rights of the Child; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and the International Covenant on Civil and Political Rights;

- ratify the Convention on Promoting the Rights and Dignity of Persons with Disabilities, its Optional Protocol; and the Convention on the Protection of All Persons from Enforced Disappearance.

Attachment

Human Rights treaties ratified by Ukraine

United Nations

- International Covenant on Economic, Social and Cultural Rights (CESCR);
- International Covenant on Civil and Political Rights (CCPR);
- Optional Protocol to the International Covenant on Civil and Political Rights (CCPR-OP1);
- Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at the abolition of the death penalty (CCPR-OP2-DP);
- International Convention on the Elimination of All Forms of Racial Discrimination (CERD);
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW);
- Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW-OP);
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT);
- Optional Protocol to the Convention Against Torture and Cruel Inhuman or Degrading Treatment or Punishment (CAT-OP);
- Convention on the Rights of the Child (CRC);
- Optional Protocol to the Convention on the Rights of the Child (CRC-OP-AC) on the involvement of children in armed conflict;
- Optional Protocol to the Convention on the Rights of the Child (CRC-OP-SC) on the sale of children, child prostitution and child pornography.

International Labour Organization

- Forced Labour Convention, 1930 (No.29);
- Abolition of Forced Labour Convention, 1957 (No. 105);
- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No.87);
- Right to Organise and Collective Bargaining Convention, 1949 (No.98);
- Equal Remuneration Convention, 1951 (No.100);
- Discrimination (Employment and Occupation) Convention, 1958 (No.111);
- Minimum Age Convention, 1973 (No.138);
- Worst Forms of Child Labour Convention, 1999 (No.182).

Council of Europe

- European Convention for the Protection of Human Rights and Fundamental Freedoms;
- Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms;
- Protocol No. 2 to the Convention for the Protection of Human Rights and Fundamental Freedoms, conferring upon the European Court of Human Rights competence to give advisory opinions;

- Protocol No. 3 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending Articles 29, 30 and 34 of the Convention;
- Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms, securing certain rights and freedoms other than those already included in the Convention and in the first Protocol thereto;
- Protocol No. 5 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending Articles 22 and 40 of the Convention;
- Protocol No. 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms concerning the Abolition of the Death Penalty;
- Protocol No. 7 to the Convention for the Protection of Human Rights and Fundamental Freedoms;
- Protocol No. 8 to the Convention for the Protection of Human Rights and Fundamental Freedoms;
- European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment;
- Protocol No. 1 to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment;
- Protocol No. 2 to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment;
- Protocol No. 11 to the Convention for the Protection of Human Rights and Fundamental Freedoms, restructuring the control machinery established thereby;
- Framework Convention for the Protection of National Minorities;
- European Agreement relating to persons participating in proceedings of the European Court of Human Rights;
- Protocol No. 13 to the Convention for the Protection of Human Rights and Fundamental Freedoms, concerning the abolition of the death penalty in all circumstances.

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Elections to fill vacancies in subsidiary organs and other elections: election of fifteen members of the Human Rights Council

Letter dated 29 February 2008 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the General Assembly

I would like to inform you that the Government of the United Kingdom of Great Britain and Northern Ireland has presented its candidature for re-election to the Human Rights Council for the term 2008-2011 at the elections to be held on 16 May 2008 during the sixty-second session of the General Assembly.

I have attached a copy of the United Kingdom's voluntary pledges and commitments (see annex).

(*Signed*) John **Sawers**

08-26668 (E) 120308

Annex to the letter dated 29 February 2008 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the General Assembly

United Kingdom campaign for re-election as a member of the Human Rights Council

Pledges and commitments in human rights

1) Commitment to work in partnership to reinforce human rights at the heart of the UN

i. The UK will continue to work to strengthen the UN Human Rights Council, promoting universality, transparency, objectivity in all its work.
ii. The UK will continue to support the unique contribution of the UN General Assembly's Third Committee.
iii. The UK reaffirms the commitment from the World Summit in 2005 to human rights mainstreaming.
iv. The UK is committed to the continued effective contribution of regional organisations, national human rights institutions and civil society.
v. The UK will continue to work in a spirit of openness, consultation and respect for all, on a foundation of genuine dialogue and cooperation.

2) Commitment to continue support to UN bodies

i. The UK will continue to support the Office of the UN High Commissioner for Human Rights (OHCHR). In addition to our regular budget contribution, the UK contributes multi-annual, un-earmarked funding. We are currently providing £2.5 million annually as a voluntary contribution through a 3 year institutional agreement.
ii. The UK will continue to cooperate fully with the UN's human rights mechanisms, including by maintaining a standing invitation to all Special Procedures. The UK will continue to endeavour to meet its obligations to the UN Treaty Monitoring Bodies fully.
iii. The UK will continue its voluntary institutional support to UN bodies, including those whose work contributes to the better promotion and protection of human rights. In 2007-2008, the Department for International Development is providing over £150 million core funding to UN agencies. In addition, it is providing funding in 2007-8 for specific programmes that promote fulfilment of human rights, including: the Action 2 Global Programme (£300,000); OHCHR's programme on rights and HIV/AIDS (£60,000); UNIFEM's women, peace and security programme (approx £1.5 million); and UNDP's Millennium Development Campaign (£750,000)

3) Commitment to work for progress on human rights internationally

i. The UK will continue to encourage ratification of UN human rights instruments to which it is a party and, through development and other assistance programmes, their successful implementation by governments.
ii. Recognising that development and human rights are interlinked and mutually reinforcing, the UK will continue to support country-led development strategies that integrate human rights. The UK Government is committed to the Millennium Development Goals (MDGs) and is working hard to promote sustainable development and reduce poverty. We aim to develop effective partnerships with governments based on a shared commitment to: poverty reduction and reaching the MDGs; respecting human rights and other international obligations; and strengthening financial management and accountability.

iii. The UK will continue to seek to advance human rights themes, developing international thinking and consensus. For example:

- The UK Government is committed to tackling all forms of gender-based violence. Domestic work is guided by Action Plans on Domestic Violence, Sexual Violence and Abuse, Trafficking, and Forced Marriage; and by a national strategy on prostitution. The Association of Chief Police Officers has recently issued a draft Honour-Based Violence Strategy and 2-year Action Plan that sets out proposals for improving police response to honour-based violence including honour killings and female genital mutilation. Internationally, we remain committed to the full implementation of UN Security Council Resolution 1325 on Women, Peace and Security, and are one of the few UN member states to have drawn up a National Action Plan for its implementation.
- Torture. The UK is committed to combating torture wherever and whenever it occurs. Domestically, establishment of the UK's National Preventive Mechanism under Optional Protocol to the Convention Against Torture (OPCAT) is expected during 2008. Internationally, we will continue to encourage ratification of the Convention and its Optional Protocol, and provide assistance for their successful implementation by governments. The UK fully supports the recently-established OPCAT Subcommittee and will continue to provide support and assistance to it where appropriate.
- Contemporary forms of slavery: The UK is committed to learning the lessons of its own past, and to tackling modern-day slavery. We have pledged £20,000 to a UN memorial for the victims of the slave trade, and led the creation of a new UN Special Rapporteur on contemporary forms of slavery at the Human Rights Council in 2007. The UK became a signatory to the Council of Europe Convention on Action Against Trafficking in Human Beings, and launched a national Action Plan on Human Trafficking, in March 2007. We are committed to their full implementation and intend to ratify the Convention by the end of 2008. We are playing a leading role against trafficking within the European Union including leading an initiative on Human Trafficking. This is linked to a national police-led anti-trafficking operation that was launched in October 2007 and is on-going. So far the operation has led to more than 300 arrests and over 600 premises have been visited. In excess of £400,000 has been seized in cash with a number of money laundering investigations taking place. The UK Human Trafficking Centre, established in 2006, is playing a key role in the operation. The UK fully supports the UN Office on Drugs and Crime's Global Initiative to Fight Human Trafficking and Modern-Day Slavery, and played an active role in the Vienna Forum in February 2008.
- Right to education. The UK Government announced in 2006 that we will spend £8.5 billion in support of education over the next 10 years, mostly in sub-Saharan Africa and South Asia. This long-term commitment will provide governments with predictable funding against which they can prepare ambitious 10-year investment plans to achieve their education goals. Promoting gender equality in education is a key focus for the UK.
- Health. The UK is committed to the containment and progressive elimination of the spread of HIV/AIDS, and prioritises the needs of those groups most at risk of HIV/AIDS. The UK is the second largest bilateral donor to combating AIDS and committed £1.5 billion over the period 2005-2008, of which around 10% will be spent on programmes for children.
- The UK will continue to engage business as a positive force for the promotion of human rights through its leading work on Corporate Social Responsibility. The Foreign and Commonwealth Office's Corporate Social Responsibility Strategy, published in February 2007, reaffirms UK support for voluntary multi-stakeholder initiatives including the UN Global Compact, and for the Voluntary Principles on Security and Human Rights.
- The UK works to promote human rights in our international relations. We are committed to the fundamental values of the Commonwealth, including tolerance, respect, democracy, good governance, human rights, gender equality and the rule of law. We will continue to work with Commonwealth partners to share best practice and learn from the experience and heritage of our fellow members. We also engage with other international and regional organisations, such as the World Bank and the European Union, to promote better integration of human rights in their work.

4) Commitment to uphold highest standards of human rights at home

i. The UK Government will endeavour to maintain full implementation of all its obligations under the international Covenants, Conventions and Optional Protocols to which it is party.

ii. The UK Government is committed to tackling inequality and discrimination, to ensure that every individual is able to fulfil their potential through the enjoyment of equal opportunities, rights and responsibilities. For example:

- We are committed to modernising British equality legislation into an Equality Bill, combining legislation against discrimination on the grounds of sex, race, disability, religion or belief and sexual orientation. The Government has also consulted on potential measures to expand protection against discrimination on the grounds of age to the provision of goods and services. The new Commission for Equality and Human Rights began work on 1 October 2007, as an independent and influential champion for the reduction of inequality, elimination of discrimination, protection of human rights and strengthening of good relations between individuals.
- The UK was one of the first to sign the new UN Convention on the Rights of Persons with Disabilities on 30 March 2007. We are committed to ratification without undue delay.
- Through its dedicated 3 year strategy to increase race equality and community cohesion ("Improving Opportunity, Strengthening Society") the Government has brought together practical measures to improve opportunities for all, helping to ensure that a person's racial or ethnic origin is not a barrier to success. Looking forward, the Government has embedded commitments to reduce inequalities for people from minority ethnic backgrounds into its key public service targets for the next 3 years in areas like employment, education, health and the criminal justice system. These targets, and the funding that will follow them, demonstrate the Government's continuing commitment to tackling inequalities.
- Where the responsibility for these matters is transferred to, or where matters are specific to Northern Ireland, we will also review equality legislation and in addition support the Equality and Human Rights Commissions and the Commissioners for Children and Young People and Victims and Survivors.

iii. Protection of children's rights remains a key priority for the UK government and its devolved administrations. We have put in place a substantial body of legislation, which serves further to enshrine in law the well-being of children. Encompassing the principles of the UN Convention on the Rights of the Child, this creates an effective national framework to support positive outcomes for children. We continue to strengthen our focus on the needs of children and their families in a holistic and integrated way, ensuring that every child gets the best possible start in life, and receives the ongoing support and protection they need to allow them to fulfil their potential. We have established Commissioners for Children and Young People across the UK.

iv. The UK Government will continue to pursue human rights goals in a spirit of consultation, openness and accountability. To this end, we will continue actively to seek out the expertise and experience of civil society, and will maintain a dialogue on our human rights work with NGOs and Parliament.

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Agenda items 17 and 18

The situation in the Middle East

Question of Palestine

Letter dated 4 March 2008 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General

I have the honour to enclose, in my capacity as Chair of the Organization of the Islamic Conference Group in New York, a statement by the OIC Group on the latest situation in Palestine, particularly in the Gaza (see annex).

It is requested that the attached statement may kindly be issued as a document of the General Assembly, under agenda items 17 and 18.

(*Signed*) Munir **Akram**
Ambassador
Permanent Representative

08-26680 (E) 120308

Annex to the letter dated 4 March 2008 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General

3 March 2008

Statement by the Organization of the Islamic Conference Group in New York on the situation in the Occupied Palestinian Territory, including East Jerusalem*

The members of the Organization of the Islamic Conference (OIC) strongly condemn the incessant military onslaught by Israel, the occupying Power, against the innocent, defenceless and besieged Palestinian civilian population in the Occupied Palestinian Territory, in particular the Gaza Strip.

The excessive and disproportionate use of force by the occupying Power, including strikes by warplanes and ground artillery, and targeted extrajudicial killings, constitute grave breaches of international law, including humanitarian and human rights law. OIC is deeply grieved and distressed at the heavy civilian casualties, including women, children and infants, and the trauma being endured by the Palestinian people in the face of widespread destruction. This wanton use of force, collective punishment and terrorizing of civilian populations and other illegal actions of the occupying Power, including its targeting of ambulances and medical rescue teams, have no justification whatsoever. OIC shares the international concern over further deterioration of the already dire humanitarian situation in the Gaza Strip caused by this recent military escalation by Israel and its continuing illegal siege of the Gaza in defiance of world opinion.

The Organization of the Islamic Conference also condemns the illegal Israeli action in the West Bank, including the killing of innocent civilians, among them children, extrajudicial assassinations and the building of settlements and the wall. These actions only fuel the cycle of violence, undermine the steps taken by the Palestinian Authority to establish calm and security and threaten the prospects of peace.

The international community must hold Israel responsible for this recent escalation and its dangerous consequences for the civilian population in the Occupied Palestinian Territory, and for the fragile peace process. It is high time to ensure respect for the rule of law by putting an end to the impunity enjoyed by Israel. OIC supports the call by Secretary-General Ban Ki-moon that incidents in which civilians have been killed or injured must be investigated and accountability must be ensured. OIC expects urgent follow-up action in that regard.

The Security Council, in particular, must act in a credible, timely and effective manner in fulfilment of its Charter responsibilities to address the threat to international peace and security. The Council cannot remain silent and marginalized as this crisis escalates, undermining international law, the sanctity of civilian life and the vision of a just, lasting and comprehensive peace enshrined in the Council's own resolutions.

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* Also circulated under the symbol S/2008/153.

The Security Council must condemn all killing of innocent civilians and violence; take measures to bring about an immediate ceasefire and its respect by all parties; ensure full compliance by Israel, the occupying Power, with its obligations under international law, including humanitarian and human rights law; demand an immediate end to the siege of the Gaza Strip; and call on the international community for provision of enhanced assistance to meet the humanitarian needs of the Palestinian population, particularly in the Gaza Strip. OIC looks forward to the Council's prompt consideration of these objectives.

The Organization of the Islamic Conference reaffirms its steadfast support to the Palestinian people for the realization of their inalienable right to self-determination and the establishment of a sovereign, independent and viable State of Palestine on the basis of the pre-1967 borders, with Al-Quds Al-Sharif as its capital.

United Nations A/62/732

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General Assembly
Sixty-second session
Agenda item 16
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Letter dated 7 March 2008 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General

I have the honour to transmit the statement of the Ministry of Foreign Affairs of Georgia dated 7 March 2008 regarding the recent developments in the conflict settlement process in Abkhazia, Georgia (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 16.

(*Signed*) Irakli **Alasania**
Permanent Representative

08-26661 (E) 110308

Annex to the letter dated 7 March 2008 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General

Statement of the Ministry of Foreign Affairs of Georgia*

7 March 2008

The Ministry of Foreign Affairs of Georgia expresses its extreme concern over the Russian Federation's withdrawal from the 19 January 1996 decision of the CIS Council of Heads of State on measures aimed at settling the conflict in Abkhazia, Georgia, on which the Ministry of Foreign Affairs of the Russian Federation sent an official note on 6 March 2008 to the Executive Committee of the Commonwealth of Independent States.

This step can be assessed in no other terms but as an overt attempt to infringe Georgia's sovereignty and territorial integrity and an extremely dangerous provocation aimed at abetting separatism and escalating tension in the conflict zone.

Any attempt to justify this decision by an alleged progress in the process of return of internally displaced persons goes beyond the scope of morals, given the fact that as a result of ethnic cleansing conducted by Abkhazia's de facto authorities — as recognized by OSCE summits in Budapest (1994), Lisbon (1996) and Istanbul (1999) — hundreds of thousands of people are still deprived of the right to return to their homes and their property is disposed illegally, mainly to citizens of the Russian Federation.

We seek to focus the international community's attention on the alarming fact that, by withdrawing from the above-mentioned decision, Russia considers itself no longer bound by the obligation to prevent sale and supply to the Abkhazian side of all kinds of armaments, defence equipment and spare parts, ammunitions, armoured vehicles and equipment (paragraph 3); as well as to prevent the hiring of its own citizens and their enrolment in any armed group in the conflict zone (paragraph 5a).

We regret to state that the main motive for taking such a decision is the Russian side's evasion of this highly important responsibility rather than removal of economic or humanitarian restrictions, which, in actual practice, the Russian side has long been ignoring. By withdrawing unilaterally from these obligations, Russia creates the basis for providing the separatist government with military assistance and establishing its military presence in Abkhazia.

Proceeding from the foregoing, the Ministry of Foreign Affairs of Georgia maintains that the Russian Federation's withdrawal from the 19 January 1996 decision of the CIS Council of Heads of State creates a serious threat of destabilization, substantially alters the situation around the conflict and undermines the legal framework, which determines the peace format of CIS in the conflict zone. Everyone needs to be reminded that it is within this very format that Russian peacekeepers operate in the conflict zone. It is also worth noting that this decision of Russia coincides with separatists' provocative acts and their intense military build-up.

* Also circulated under the symbol S/2008/167.

In the situation that has emerged, the Ministry of Foreign Affairs of Georgia holds the Russian Federation fully responsible for any possible development of events. At the same time, Georgia retains the right to undertake adequate actions under the Constitution and legislation of Georgia and international law to ensure protection of its own national interests.

United Nations A/62/733

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Agenda items 73 and 77

Report of the International Court of Justice

Oceans and the law of the sea

Letter dated 29 February 2008 from the Permanent Representative of Colombia to the United Nations addressed to the Secretary-General

I have the honour to write to you in order to transmit the original text of the note of 25 February 2008 signed by the Minister for Foreign Affairs (see annex), containing the reply of the Government of the Republic of Colombia to the note sent to you by the President of Nicaragua on 11 February.

I should be grateful if you would take the necessary steps to have the attached note circulated as a document of the General Assembly, under agenda items 73 and 77.

(*Signed*) Claudia **Blum de Barberi**
Ambassador
Permanent Representative

08-26794 (E) 120308 130308

Annex to the letter dated 29 February 2008 from the Permanent Representative of Colombia to the United Nations addressed to the Secretary-General

I have the honour to write to you with respect to the communication signed by the President of Nicaragua, Daniel Ortega, in reference to the judgment on preliminary objections handed down by the International Court of Justice on 13 December 2007 in the case concerning the Territorial and Maritime Dispute (Nicaragua v. Colombia), in which my country has been involved since 6 December 2001 and will continue to be in accordance with the provisions of the Statute of the Court and the Rules of Court.

In its judgment on preliminary objections delivered on 13 December 2007, the Court found that despite Nicaragua's claims to the contrary, the Esguerra-Bárcenas Treaty of 1928 between Colombia and Nicaragua, in which Nicaragua recognized the sovereignty of Colombia over the Archipelago of San Andrés and Providencia, settled the matter of sovereignty over the islands of San Andrés, Providencia and Santa Catalina and that there was no extant legal dispute between the parties on that question.

The Court further found that the aforementioned Treaty and its Protocol of Exchange of Ratifications did not establish the general delimitation of the maritime boundary between the two States. That delimitation would be a matter for the Court to define in the proceedings on the merits.

Ever since the Court delivered its Judgment, and without prejudice to the rights of Colombia in the maritime areas belonging to the Archipelago of San Andrés and Providencia, Colombia has been careful to do no more than maintain the status quo existing on 6 December 2001, the date on which Nicaragua filed its Application instituting proceedings in the International Court of Justice.

In this connection, Colombia has made every effort to ensure that ships flying its flag do not engage in fishing or other activities west of the 82nd meridian. In turn, it has continued to take routine measures designed to ensure that any fishing vessel that engages in activities to the east of that line has been licensed to do so by the competent Colombian authorities.

In a matter of this kind, the current practice under international law is to maintain the status quo until such time as a final judgment has been delivered by the Court.

After an extended meeting on 11 February 2008 between the President of the Court and the agents of the parties, the International Court of Justice fixed 11 November 2008 as the time limit for the filing of the Colombian Counter-Memorial. At that time, Colombia will set out its position with regard to the maritime boundary between the two States.

The Government of Colombia has refrained from responding to the offensive pronouncements of President Daniel Ortega and other Nicaraguan authorities, who have also persisted in encouraging their fishing vessels to carry out their activities east of the 82nd meridian in areas in which they have never done so in the 187 years of Nicaragua's existence as an independent nation and over which Colombia has peacefully and continuously exercised its maritime jurisdiction for many years.

In fact, in outright contravention of the Court's judgment, the Government of Nicaragua continues to unilaterally refer to these areas as Nicaraguan and to reiterate its claims to the islands of San Andrés, Providencia and Santa Catalina — which have already been definitively rejected by the Court.

In short, Nicaragua continues to dispute the core issue on which the Court has indeed delivered a judgment — the sovereignty of Colombia over the islands of San Andrés, Providencia and Santa Catalina and, at the same time, is falsely accusing Colombia of violating a maritime boundary which the Court has yet to delimit.

(*Signed*) Fernando **Araújo Perdomo**
Minister for Foreign Affairs

United Nations A/62/734

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Agenda items 138 and 139

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Comprehensive proposal on appropriate incentives to retain staff of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee has considered the report of the Secretary-General on the comprehensive proposal on appropriate incentives to retain staff of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia (A/62/681). The Committee also had before it the report of the International Civil Service Commission for 2007 (A/62/30 and Corr.1). During its consideration of the reports, the Committee met with representatives of the Tribunals and the Secretary-General, who provided additional information and clarification.

2. The report of the Secretary-General, submitted pursuant to General Assembly resolution 61/274, provides updated human resources data on the staffing situation in the Tribunals, information on the drawdown plans for each Tribunal, justification for the possible payment of a retention incentive and the related legal aspects of such payments, non-monetary incentives and measures and three options for the calculation of the amount of the retention incentive. Background on the proposal for

08-26698 (E) 120308

granting incentives to retain staff until the work of the Tribunals is completed is provided in paragraphs 1 to 8 of the report.

3. As indicated in paragraph 12 of the report, the approved budgets for the biennium 2008-2009 reflect the redeployment of posts from trial to appellate support work and the phasing out of 349 posts (33 per cent) in the International Criminal Tribunal for Rwanda and 258 posts (26 per cent) in the International Tribunal for the Former Yugoslavia as a result of the anticipated reduction of first-instance trial activity in the second half of 2009. The Tribunals project a further significant reduction of posts, commencing in early 2010, when it is anticipated that all trials will be in the appeals stage, except for three pending cases in the International Tribunal for the Former Yugoslavia, which are due to be completed in 2010. Upon enquiry, the Advisory Committee was informed that the International Tribunal for the Former Yugoslavia envisaged a downsizing of its staff even if the indicted persons still at large were captured and additional trials ensued. Furthermore, the Committee recalls that the trial schedules and current budgets do not into take into account resource requirements for the trials of those fugitives (see A/62/578, para. 10).

4. The Tribunals have initiated a number of non-monetary incentives intended to retain staff until their posts are no longer required. They are aimed at broadening career options for staff when they leave the Tribunals, improving working conditions and assisting staff in dealing with host country residency and administrative issues. The specific measures, which are described in paragraphs 20 to 29 of the report of the Secretary-General, include, training opportunities; paid and unpaid study leave; flexible working arrangements; short-term assignments within the United Nations system in order to broaden skills and experience; and career counselling and support for a transition to a new career or a new location. In addition, the Tribunals will continue to actively explore opportunities for the placement of Tribunal staff at other United Nations entities, as well as in Europe and Africa, and in local markets.

5. Upon enquiry, the Advisory Committee was informed that a total of 7 staff members of the International Criminal Tribunal for Rwanda and 22 staff members of the International Tribunal for the Former Yugoslavia had been on temporary assignment during 2007, mainly in peacekeeping operations, special political missions and the Special Court for Sierra Leone. Of the 22 International Tribunal for the Former Yugoslavia staff having benefited from that measure, 3 did not return to the Tribunal.

6. The Advisory Committee notes that contracts for all regular posts were extended until either August or October 2009, after consultation with Headquarters. As a result of this measure, combined with the effects of the various non-monetary incentives that have been put into place, the number of staff departures has been manageable, according to the Tribunals. Current staff turnover rates in the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia are 11 and 14 per cent respectively, and are projected to increase to 20 per cent as the completion dates draw near. In addition to the measures outlined above, the Tribunals are exploring possibilities for the secondment of staff from Member States, the United Nations and other common system organizations on temporary assignment during the final stages of the Tribunals' operations, as it will be difficult to recruit highly qualified personnel for short periods.

7. The Advisory Committee commends the Tribunals for measures taken to retain staff and to plan for possible staff shortages as the completion dates approach. It requests the Tribunals to continue to explore further options for non-monetary incentives for staff to remain at the Tribunals until their posts are no longer required, such as their treatment as internal candidates for recruitment and selection. In this connection, the Committee draws attention to the recommendation of the International Civil Service Commission that the reporting date for any new assignment of Tribunal staff offered appointments in another common system organization should be set to coincide with the completion of the staff member's work with the Tribunal (A/62/30, para. 21 (d)). The Committee also recommends that the General Assembly request the Secretary-General to further support the efforts of the Tribunals and encourages all United Nations offices and peacekeeping operations to cooperate with the Tribunals with regard to career and training opportunities for their staff.

8. The General Assembly requested the Secretary-General to identify the key positions where the problem of retention could arise (resolution 61/274, para. 9 (a)). The Advisory Committee notes that the Tribunals have not identified the specific key positions that are deemed essential for the effective functioning of the proceedings. The Tribunals emphasized once again that there were staff members in all categories and occupational groups who possessed skills and institutional knowledge that rendered them essential for the effective day-to-day functioning of the Tribunals and whose departure could cause disruptions and delays in the trial proceedings. Rather than identifying specific posts, functions or expertise required for the implementation of the completion strategy, the approach taken by the Tribunals is to reduce the total number of posts as the different phases of the strategy are concluded (see para. 3 above). The Advisory Committee notes that the staff unions consider that the application of the retention incentive to a limited number of staff would be divisive and have a detrimental impact on staff morale (see A/62/681, paras. 16 and 17). Accordingly, if adopted, the retention incentive would apply to all staff required to remain with the Tribunals until their services and posts were no longer needed, as set out in the completion strategy and drawdown plans of each Tribunal.

9. The Secretary-General proposes three alternative approaches for the calculation of the amount of the retention incentive on the basis of the application of the termination indemnities set out under the heading "Permanent appointments" in annex III to the Staff Regulations. The situations under which the retention incentive would not be paid are set out in paragraph 31 of the report.

10. The three alternative approaches proposed by the Secretary-General are as follows:

- Option A. The retention incentive would apply to eligible staff having completed at least two years of service with the Tribunals at the time that the incentive is due. The financial implications of this measure are estimated at $11.2 million for the International Criminal Tribunal for Rwanda and $12.1 million for the International Tribunal for the Former Yugoslavia.
- Option B. The retention incentive would apply to eligible staff having completed at least five years of service with the Tribunals at the

time that the incentive is due. The financial implications are estimated at $6.9 million for the International Criminal Tribunal for Rwanda and $7.2 million for the International Tribunal for the Former Yugoslavia.

- Option C. The retention incentive would apply to eligible staff having completed five years of service with the Tribunals and be capped at an amount to be set by the General Assembly, either in terms of a fixed number of months of salary or a fixed incentive payment.

11. In paragraph 8 of its resolution 61/274, the General Assembly requested the International Civil Service Commission to advise it on the proposal of the Secretary-General for a monetary retention incentive (A/61/824), given the possible implications for the United Nations common system, which does not provide for such payments. The Commission indicated that it did not consider special financial retention incentives to be appropriate since there was no provision for their use in the common system and, as such, would constitute a precedent. Instead, the Commission recommended that the existing contractual framework be used to grant contracts that would remove uncertainty with regard to future employment, as follows (A/62/30, para. 21 (b)):

(a) For all staff members occupying key posts, for example, prosecutors, forensic specialists and investigators, fixed-term contracts should be granted that extend for the duration of the mandate of the Tribunals. If turnover was insufficient and staff had to be terminated before the end of the mandate because their skills were no longer needed, staff would be eligible for termination indemnities if they otherwise met the requirement;

(b) For the remainder of the staff, the skills needed through each planned post reduction should be identified and fixed-term contracts offered, consistent with the dates of the planned post reductions.

12. The Tribunals have consistently emphasized that staff members in all categories are essential for the proper functioning of trials and that it was not possible, as recommended by the International Civil Service Commission, to restrict the application of a retention incentive to a narrow definition of "key personnel". Consequently, if the Commission's proposal were adopted, it is likely that the contracts of all remaining staff members would be extended for the duration of the mandate of the Tribunals. They would then become eligible for the payment of a termination indemnity as their posts were abolished, calculated on the basis of the regulations applicable to permanent staff.

13. The Tribunals argue that a high rate of departures could impede their smooth functioning and entail considerable costs for the recruitment and training of new staff. **The Advisory Committee recognizes the critical importance of retaining highly skilled and specialized staff in order to complete all trial proceedings and meet the targets set out in completion strategies of the Tribunals. In view of the consequences of any delays in the completion of the work of the Tribunals, the Committee is of the view that the Tribunals should employ a variety of tools to retain the services of personnel as long as they are needed.** The Committee notes that, according to the Secretary-General, in order to be effective, these should include a monetary retention incentive combined with the non-monetary measures described in his report.

14. In view of the considerations outlined above, the Advisory Committee recommends that the General Assembly authorize, on an exceptional basis, the payment of a retention incentive to staff required to remain with the Tribunals until their services and posts are no longer needed, as set out in the drawdown plans of each Tribunal, on the basis of the criteria described under option C of the report of the Secretary-General, targeting staff with a minimum of five years of service in the Tribunals. It recommends that the amount of the incentive be capped at five months' salary for all staff members, irrespective of the number of years of service at the Tribunals beyond five years. In the present circumstances, the payment of the retention incentive would become effective from the biennium 2008-2009, as from a date to be fixed by the Assembly.

15. The Advisory Committee notes the observation of the International Civil Service Commission that special financial retention incentives for the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia are not appropriate because they are not provided for in the common system and as such would constitute a precedent, which should be avoided. The Committee therefore recommends that, should the General Assembly authorize the payment of a retention incentive, administrative arrangements for such an incentive be based only on an ad hoc decision of the Assembly and not on an amendment to the Staff Rules. The Committee emphasizes that the exceptional nature of such arrangements for the Tribunals would preclude their application elsewhere in the United Nations system.

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Agenda items 17 and 18

The situation in the Middle East

Question of Palestine

Security Council
Sixty-third year

Identical letters dated 10 March 2008 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I write to inform you and the members of the international community of a vicious and devastating act of terrorism, which occurred in our capital city of Jerusalem last week.

Late Thursday evening, 6 March 2008, a terrorist infiltrated the Mercaz Harav yeshiva (rabbinical seminary) and opened fire on a crowded library and study hall, killing eight young men: Segev Peniel Avihail, 15; Neria Cohen, 15; Yonatan Yitzhak Eldar, 16; Yehonadav Haim Hirschfeld, 19; Yohai Lifshitz, 18; Doron Meherete, 26; Avraham David Moses, 16; Ro'i Roth, 18. Eleven others were wounded during the attack. The victims of this terrorist attack, most of them teenage boys, have been stolen away from this world, their families, and their people. They were coldly and callously murdered just footsteps away from the seat of the Israeli Government and our most cherished religious, educational, and cultural institutions, in the Kiryat Moshe neighbourhood of Jerusalem.

My delegation notes with appreciation the Secretary-General's unqualified condemnation of this terrorist attack, and the efforts of the President of the Security Council and other members of the Council to condemn the attack and steward the international community towards adopting a statement deploring this act of terrorism, as it has done in so many previous situations. But the Council could not reach consensus due to the politicized opposition of one member in particular, which is highly disturbing and greatly disappointing. Surely, there can be no excuse or explanation for this terrorist attack, and any attempt to justify terrorism — by blocking its condemnation — is disingenuous, counter-productive, and morally reprehensible.

At the same time, my delegation greatly appreciates the numerous expressions of sympathy shared with us by Member States and those in the Secretariat during the past few days.

08-26828 (E) 120308

I should be grateful if you would have the contents of this letter circulated as a document of the General Assembly, under agenda items 17 and 18, and of the Security Council.

(*Signed*) Dan **Gillerman**
Ambassador
Permanent Representative